CLERK OF THE COURTS UNITED STATES DISTRICT 844 N.KING STREET WILMINGTON DELAWARE

06-018-JJF

66-019-07

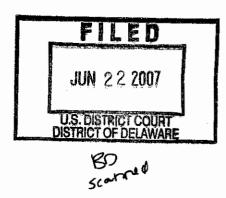
SUPPORT SUMMARY JUDGEMENT

**EXCESSIVE AND** 

UNREASONABLE FORCE WIERE USED BY THE MILLSBORO POLICE. THE CRIME COMMITED BY THE PLAINTIFF WAS NOT SERIOUS ENOUGH TO WARRANT FORCE TAKING OF EVIDENCE. THE RESULTS IN TRIAL WOULD HAVE HAD THE SAME CONCLUSION WITHOUT THE POLICE FOCEABLY TAKING EVIDENCE. THE SUBMITION OF FORCE REPORTS INTERED INTO DISCOVERY SHOW THAT THE MILLSBORO POLICE DEPARTMENT HAS A STANDARD POLICY TO USE FORCE. THE REPORTS ALSO INDICATE THAT OFFICER WHEATLEY AND OFFICER LEGATES ARE EVASIVE OF THE TRUE FACTS OF THIS ARREST. THEY CONTINUE TO OMIT THE FACTS OR FALSSELY REPRESENT THE FACTS BY NOT ADMITTING THAT THE PLAINTIFF WAS DRAGGED FROM THE POLICE CRUISER OR STATING THAT THE PLAINTIFF GOT OUT ON HIS OWN. THERE FORE THE MILLSBORO POLICE AND THE TOWN OF MILLSBORO SHOULD BE LIABLE FOR THE INAPROPRIATE MISCONDUCT OF THE POLICE UNDER SECTION 1983.

527 BALTIC AVE BROOKLYN,MD.21225

SENT VIA U.S MAIL 6-19-07 **BRUCE HERRON** 



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## MILLSBORO POLICE DEPARTMENT FORCE REPORT

Date: 01-03-04 Day: SAT	Time: 0/30 Comp. # 34-04-07
Subject's Name: Laskey	Howard L 2nd First Middle
Last	First Middle
Race: W Sex: M EO: NH	Age: 39 Date of Birth: 4-//-
Address: 527 Baltic Ave	City: Baltimore State: MD
Location of Incident: Beebe Hospital	
ТҮРЕ	OF FORCE
Fists: ASP: Handgun:	Shotgun: K9:
Cap-Stun: Chemical Agent:	Other: Held Feet to get leg shackles on.
Medical A	ttention Required
Subject(s) Injuries: Injured Nose T&	R: Admitted: Refused:
Attending Physician:	Hospital:
Officer's Injuries: NONE T&	R: Admitted: Refused:
Attending Physician:	Hospital:
Crime or Incident: DUI / Resist Arrest Off. To	ovek Arrest: Yes
•	crept for blood draw He stated &
we better get the big boys becau	ise we weren't getting his bland.
Lewes PD officers restrained	his upper body, while PFC Wheathy
and I placed leg shackles o	in him. Notified Det. Lowe. OVER-
On Duty Supervisor:	
Signatu	we -
Date & Time Notified:	
Reporting Officer: R.C. Leaf. 1067	Reviewer: At. Hative J Chargey \$1047.
Signature	Signature , 1-11-17774

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18-26-2007 13:20

At the hospital he got out or or car on his

own. When AFC Wheathey grabbed his leg to

place the shackle on it, the subject began

kicking at PFC Wheatley.

(2)

B-26-2007 13:19

## MILLSBORO POLICE DEPARTMENT FORCE REPORT



Date: 0/030	4 Day: 5AT	Time: 0,	Com	p. #84-04-0007		
Subject's Name:	LASKEY Last	HOWARD		2.		
2 12 12 12 1	Last	First	Middle	• .		
	Sex: <u>M</u> EO: <u>N</u>					
	7 BALTIC AVE		10RE St	ate: 1		
Location of Incident: BEEBE HOSPITAL						
TYPE OF FORCE						
Fists:	ASP: Handgun: _	Shotgun:	К9:	· <del>···</del>		
Cap-Stun:	Chemical Agent:	Other: HECD	FEET TO PLACE	E LEGIENS		
		al Attention Required				
Subject(s) Injuri	ies: Tusured Nose	T&R: A	dmitted:	Refused:		
Attending Physi	cian:	Hospital: _				
Officer's Injurie	S: NONE	T&R: A	dmitted:	Reflised:		
Attending Physician: Hospital:						
Crime or Incident: DUI, Resist ARREST, OFF TOWX 2. Arrest: YES						
Remarks:	ASSISTED PFC LEGATES	WITH A PISORDE	RLY PRISONER AT	BEESE HOSPITAL.		
LEGATES AD	VISED ME D LASKEY STA	MED WE BETHER	HAVE SOME M	ISCLE", N ORDER		
TO THE HI	K BLOOD AT BEEBE NA	VIE I PLACED	LEG IRONS O	ND CASKEY		
HE BEGAN	KICKING AND VOCENTLY R	ESISTING. LEWES	PD OFFICERS P	LACED HIM -		
On Duty Superv		maturé		· · · · · · · · · · · · · · · · · · ·		
			/ ************************************	1 PH214		
Date & Time N	otified: 0/0304 0400+ES	NOTIFIED Tref.	DET LOWE VIA	. 4 >		
Reporting Office	cer: PFC Bes S. Whattay Signature	1066 Reviewer:	H. Hatrish Signatu	Ougly 41047 re 1 1-6-2004		

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8-26-2007 13:20

N THE P.03 LKONS

BUD LASKEY. WHEN D LASKEY WAS TAKEN INSIDE, I OBSERVED

BLOOD ON THE RIGHT SIDE OF HIS NOSE.



CLERK OF THE COURTS
UNITED STATES DISTRICT
844 P. KIDL STREET
LOCKBOY 18
WILMINGTON, DRIANARE 1995

H.URSKAJ 527 BACHCHAR BROOKLYP, MY 2228 NIO OTOMORNO